

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SERVERIANO MENDOZA,

Plaintiff,

18 **CIVIL** 11147 (VSB)(DF)

-against-

JUDGMENT

CAVALLO'S OF CHELSEA, INC., et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated September 22, 2022, the Court has reviewed Magistrate Judge Freeman's thorough and well-reasoned Report for clear error and, after careful review, found none. Accordingly, the Report is ADOPTED as against Defendants Cavallo's of Chelsea, Inc. and Antonio Coppola (the "Non Naimo Defendants"). Defendants are held jointly and severally liable for: 1. Damages in the amount of \$70,515.86, representing: a. \$600.00 in unpaid base wages b. \$28,240.58 in unpaid overtime compensation; c. \$1,417,35 in unpaid spread-of-hours compensation; d. \$30,257.93 in liquidated damages; and e. \$10,000.00 in statutory damages under the WTPA; 2. Prejudgment interest in the amount of: a. \$2,253.18 up to February 18, 2019 (the date that Plaintiff filed his damages submission); and b. additional prejudgment interest, to be calculated by the Clerk of Court at the rate of nine percent per annum from February 18, 2019 to the date of entry of final judgment, in the amount of \$22,899.30; 3. Attorneys' fees in the amount of \$2,935.00; and 4. Costs in the amount of \$400.00. Plaintiff may move to reopen this action, and to have the Report adopted as to Naimo, if and when Naimo's bankruptcy concludes; accordingly, the case is closed.

Dated: New York, New York
September 27, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk